

REMARKS

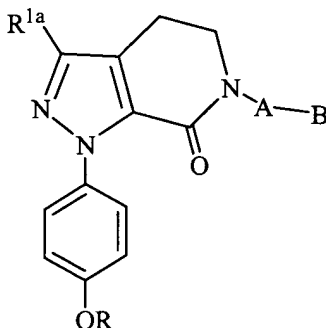
Status

Claims 1-8 and 15-24 will be pending upon entry of the present amendment, with Claims 15-19 currently being withdrawn from consideration. Claims 9-14 have been canceled without prejudice or disclaimer to resubmission in a later application. No new matter will be added upon entry of the above amendments.

Discussion

Applicants thank the USPTO for indicating the Claim 8 would be allowable if written in independent form. Claim 8, as amended, is in independent form. Applicants submit that this claim should be in allowable condition.

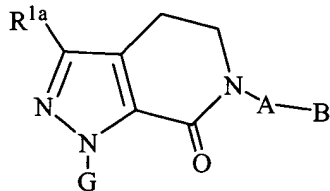
Applicants acknowledge and appreciate that the USPTO has indicated the following formula to be free of the prior art.



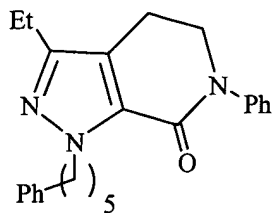
Applicants have limited the claims to the above structure, except that the phenyl ring (ring G) is substituted as originally filed (i.e., 1-3 R).

The rejection of Claims 1-3, 9, and 15 (now 1-3 and 15) under 35 U.S.C. §102(b) over Duplantier (WO 95/01980) has been obviated by appropriate amendment.

Applicants have limited the claims to the structure shown below and removed from B—CN and the alternative definition of Y (which included carbocycle and heterocycle).



Present Invention



Duplantier Compound

Thus, the presently amended claims differ from the Duplantier compound cited in the Office Action in three ways: (a) the presence of the a phenyl (group G), on the pyrazole nitrogen instead of the pyridinone nitrogen; (b) the presence of the linear linker A on the pyridinone nitrogen instead of the pyrazole nitrogen; and, (c) the absence of carbocycle (and heterocycle) from the definition of Y. In view of these significant differences, Applicants respectfully submit that the presently claimed invention is neither anticipated nor obvious over Duplantier. Withdrawal of this rejection is respectfully requested.

The rejection of Claims 1-7 and 9-15, now 1-7 and 15, under 35 U.S.C. §112, 2nd paragraph, has been obviated by appropriate amendment.

Claims 1-7 and 9-15, now 1-7 and 15, were rejected due to the breadth of the core structure. The core structure, as shown above, has been limited to one compound and ring G has been limited to phenyl (substituted or unsubstituted). Applicants submit that the presently amended claims are not overly broad. Withdrawal of this rejection is respectfully requested.

The rejection of Claims 1-5 and 9-11, now 1-5, under 35 U.S.C. §112, 2nd paragraph is respectfully traversed.

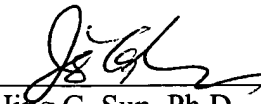
A is defined as a 2-8 membered liner chain consisting of carbon atoms, 0-2 carbonyl groups, and 0-3 heteroatoms. Applicants submit that there should be no difficulty in understanding that linear chain A has 2-8 components that are carbon atoms, carbonyl groups, and heteroatoms. This is exactly what the definition says. Moreover, the USPTO doesn't seem to have any difficulty understanding the ring definitions in the claims (see, for example rings Q, Q³, and Q⁵), all of which recited very similar definitions, except that they are rings, not linear chains. Applicants recognize that Claims 6-7 (and 11-13) show that a carbon chain is preferred for A. Carbon chains are preferred. However, such a preference should have no bearing on understanding a simple definition of carbon atoms, carbon groups, and heteroatoms. While carbon chains are preferred, Applicants do not wish to be limited to carbon-only chains. Applicants also do not know how to further define a chain that is already simply defined by its components, carbon atoms, carbonyl groups, and heteroatoms. Applicants respectfully submit that the definition of A is clear and concise as originally filed and respectfully request withdrawal of this rejection.

With respect to withdrawn claims 16-19 (and likely the new Claims 20-24), Applicants respectfully request rejoinder of these claims, if allowable subject matter is found in Claims 1-8.

In view of the foregoing, Applicants submit that the application is now in condition for allowance. Early notification of such action is earnestly solicited. If the Examiner has any questions or believes further discussion will aid examination and advance prosecution of the application, a telephone call to the undersigned is invited.

Respectfully submitted,

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